

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI**

IN RE: GARY JACOBS

CHAPTER 13

DEBTOR

CASE NO. 19-12685-JDW

**OBJECTION TO PROOF OF CLAIM FILED BY
FIRST METROPOLITAN FINANCIAL SERVICES, INC. [CLAIM NO. 12-1]**

COMES NOW, the above-named Debtor, by and through his attorney of record in this case, and objects to the Proof of Claim filed by First Metropolitan Financial Services, Inc. ("First Metro."), and in support hereof respectfully shows unto the Court the following:

1. First Metro. filed a proof of claim (Clm. # 12-1) as a secured creditor in the amount of \$3,621.99.
2. The Debtor does not dispute the debt is owed, but the claim includes a UCC filing statement that is not perfected or enforceable against the Debtor or his property according to Miss. Code § 75-9-301. Therefore, the claim should be treated as unsecured.
4. Other grounds to be shown at the hearing.

WHEREFORE, the Debtor respectfully requests that this Court sustain the objection and enter an order directing the proof of claim (Clm. #12-1) be treated as a general unsecured claim in this case.

This the 5th day of August, 2019.

/s/Robert Lomenick
KAREN B. SCHNELLER, MSB 6558
ROBERT H. LOMENICK, JR., MSB 104186
SCHNELLER & LOMENICK, P.A.
126 NORTH SPRING STREET
POST OFFICE BOX 417
HOLLY SPRINGS, MS 38635
662-252-3224/karen.schneller@gmail.com

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT MISSISSIPPI**

IN RE: GARY JACOBS

CHAPTER 13

DEBTOR

CASE NO. 19-12685

NOTICE OF OBJECTION TO CLAIM

YOU ARE HEREBY NOTIFIED that an objection to your claim has been filed in the above referenced bankruptcy case. Your claim may be reduced, modified, or eliminated. If you do not want the Court to eliminate or change your claim, a written response to the attached objection to claim must be filed with:

**Clerk, U.S. Bankruptcy Court
Northern District of Mississippi
703 Hwy 145 North
Aberdeen, MS 39730**

and a copy must be served on the undersigned Debtor(s)' attorney and the Chapter 13 trustee on or before thirty (30) days from the date of this notice. In the event a written response is filed, the court will notify you of the date, time and place of the hearing thereon.

DATED: August 5, 2019

CHAPTER 13 STANDING TRUSTEE:

Ms. Locke D. Barkley
Chapter 13 Trustee
6360 I-55 North, Suite 140
Jackson, MS 39211

/s/Robert H. Lomenick
KAREN B. SCHNELLER, MSB 6558
ROBERT H. LOMENICK, JR., MSB 104186
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CERTIFICATE OF SERVICE

I, Karen B. Schneller/Robert H. Lomenick, attorney for the Debtor, hereby certify that a copy of the foregoing Notice of Objection to Claim and Objection to Claim has this day been served upon the Chapter 13 Trustee, the U.S. Trustee and Mississippi Department of Revenue, either by electronic means or by United States Mail.

First Metropolitan Financial Services, Inc.
6295 Summer Ave., Ste. 101
Memphis, TN 38134

Ms. Locke D. Barkley, via ECF

Office of U.S. Trustee, via ECF

This, the 5th day of August, 2019

/s/Robert H. Lomenick

KAREN B. SCHNELLER
ROBERT H. LOMENICK